



## UNITED STATES PATENT AND TRADEMARK OFFICE

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#### Fax Notes:

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Hello Mr. Parker:  
Please find enclosed herewith proposed claim amendments. As per your request base claim has been further amended to clarify the term fluoresces. Please review the claim amendments and approve the Examiner's amendments at your earliest.  
Thanks  
Anoop Singh  
AU 1632

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PROPOSED CLAIM AMENDMENTS

*In the claims*

1. Claims have been re-written as follows.

Claim 1. A method of providing transgenic fish to the ornamental fish market, comprising the steps of: (a) obtaining a transgenic fish line comprising one or more fluorescence genes that are positioned under the control of a muscle specific promoter, such that said transgenic fish expresses fluorescent protein encoded by said fluorescence gene(s) in skeletal muscle such that said transgenic fish visually exhibits expression of fluorescent protein(s) upon exposure to sunlight, wherein said transgenic fish are the offspring of an embryo line visually exhibiting expression of fluorescent protein(s) in essentially all muscle fibers in their trunk and further wherein transgenic founders of said fish line visually exhibits expression of fluorescent protein(s) upon exposure to sunlight; and  
(b) distributing fish of said line to the ornamental fish market.

Claim 9. Replace “BFP” with “blue fluorescent protein (BFP)”.

Claim 10. Replace “EBFP” with “enhanced blue fluorescent protein (EBFP)”.

Claim 11. Replace “YFP” with “yellow fluorescent protein (YFP)”.

Claim 12. Replace “EYFP” with “enhanced yellow fluorescent protein (EYFP)”.

Claim 13. Replace “CFP” with “cyan fluorescent protein (CFP)”.

Claim 14. Replace “ECFP” with “enhanced cyan fluorescent protein (ECFP)”.

Claim 30. The method of claim 15, wherein more than one fluorescent protein is expressed in the same muscle tissue, to produce a fluorescent color.

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Claim 32. The method of claim 15, wherein more than one fluorescent protein are separately expressed in different muscle tissues.

Claim 36. The method of claim 1, wherein the transgenic fish is a stable transgenic fish line obtained by a method comprising the steps of:

- (a) obtaining a transgenic fish comprising one or more fluorescence genes positioned under the control of a muscle specific promoter, wherein the transgenic fish expresses one or more fluorescent proteins encoded by the one or more fluorescence genes; and
- (b) breeding the transgenic fish with a second fish of the same species to obtain offspring; and
- (c) selecting from said offspring a stable transgenic line that expresses one or more fluorescent proteins in its muscle tissue.

Claim 44. Replace “GFP” with “green fluorescent protein (GFP)”.

Claim 45. Replace “EGFP” with “enhanced green fluorescent protein (EGFP)”.

Cancel claims 24 and 35.

**Claims 1-3, 9-15, 20-21, 30-32, 36-42, 44 and 45 are allowed.**